

UNITED STATES DISTRICT COURT

DISTRICT OF MAINE

In Re HANNAFORD BROS. CO.)
 CUSTOMER DATA SECURITY) MDL Docket No. 2:08-MD-1954-DBH
 BREACH LITIGATION) ALL CASES

**JOINT MOTION FOR ENLARGEMENT OF TIME TO SUBMIT COMMENTS OR
ADDITIONAL BRIEFING REGARDING PROPOSED CERTIFIED QUESTIONS**

NOW COME the parties, by and through their undersigned respective counsel, and request pursuant to Fed. R. Civ. P. 6(b) that the Court extend by one week the deadline for the parties' submissions in response to the Court's Order dated October 5, 2009. In that Order, the Court set a deadline of October 20, 2009 for the parties to submit comments on or suggestions for reformulation of the question the Court proposes to certify to the Law Court and to submit any additional briefing regarding the certifiability of any question concerning the economic loss doctrine. The new deadline the parties request is **October 27, 2009**.

On October 6, 2009, undersigned counsel spoke in an effort to set a date to meet and confer over any comments each party might have concerning the Court's proposed certified question. Upon comparing calendars, it became apparent that counsel would have great difficulty finding a date and time that would permit adequate opportunity for a meaningful meet-and-confer, and adequate time to prepare separate submissions by the October 20th deadline, should the parties have remaining areas of disagreement. Both counsel felt a one-week extension of the deadline would be appropriate to facilitate their efforts to meet and confer. Neither side wishes to create any significant delay, but both sides do wish at least to explore areas of possible agreement and the potential to refine areas of disagreement before making any further submission to the Court.

CONCLUSION

For all the foregoing reasons, the parties request that the Court enlarge the date for the submissions invited in the Court's October 5, 2009 Order by one-week to October 27, 2009.

DATED: October 7, 2009

DATED: October 7, 2009

/s/ Peter L. Murray
Peter L. Murray, Esq.
MURRAY PLUMB & MURRAY
75 Pearl Street
P.O. Box 9785
Portland, ME 04104-5085
(773) 5651
pmurray@mpmlaw.com

/s/ Clifford H. Ruprecht
William J. Kayatta, Jr., Esq.
Clifford H. Ruprecht, Esq.
Pierce Atwood LLP
One Monument Square
Portland, ME 04101
(207) 791-1100
wkayatta@pierceatwood.com
cruprecht@pierceatwood.com
Counsel for Defendant Hannaford Bros. Co.

/s/ Lewis J. Saul
Lewis J. Saul, Esq.
Lewis Saul & Associates, PC
183 Middle Street, 2nd Floor
Portland, ME 04101
(207) 874-7407
lsaul@lewissaul.com
*Interim Co-Lead Counsel
for Plaintiffs*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE**

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2009, I electronically filed this Joint Motion for Enlargement of Time to Submit Comments or Additional Briefing Regarding Proposed Certified Questions to the Clerk of Court using the CM/ECF system which will cause an electronic notice to be sent to registered counsel of record.

/s/ Clifford H. Ruprecht
Clifford H. Ruprecht, Esq.
Pierce Atwood, LLP
One Monument Square
Portland, ME 04101
(207) 791-1100
cruprecht@pierceatwood.com

Counsel for Defendant Hannaford Bros. Co.